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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

NWB File No.: 2AM-MEL----

February 15, 2016

Distributed By Email

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Subject: Licence No. 2AM-MEL----, Type “A” Water Licence Application, Meliadine Gold Project, Agnico-Eagle Mines Limited; Nunavut Water Board Written Direction Regarding Public Hearing Record Remaining Open

As you may recall, on February 11, 2016 during the Public Hearing in respect of the Application for a Type A Water Licence 2AM-MEL---- for the Meliadine Gold Project (the Application), filed by Agnico-Eagle Mines Limited (AEM) with the Nunavut Water Board (NWB or Board), the NWB Panel directed to keep the Hearing Record open to allow for the submission of further written materials on the following issues:

- a) that the Kivalliq Inuit Association (KivIA) has entered into a water compensation agreement with AEM; and
- b) that the Minister of Indigenous and Northern Affairs Canada (INAC) is satisfied and has approved a proposed Security Management Agreement between INAC, KivIA and AEM with respect to the reclamation security that should be held under a water licence if the Board decides to approve the Application.

As indicated at the Public Hearing, the NWB Panel responsible for this application (P15 or the Meliadine Panel) determined that these additional submissions would be relevant and may greatly assist the Board’s decision-making with respect to this issue. Therefore, by Panel Motion #2015-28-P15-02, the Panel directed that the Hearing Record will remain open until **3:00 pm**

MDT on Friday, February 19, 2016 in order for the parties to file additional written materials as specified below. Please note that the Panel motion to keep the record open only pertains to the narrow issue of submissions on the water compensation agreement and a security management agreement, and for all other issues, the Hearing Record is now closed. Consequently, other than the new evidence and written submissions specified below, the Board will **not** accept additional written materials from any other party and on any other issue during this time.

The Board will accept the following additional written materials on or before February 19, 2016:

- New evidence consisting of written confirmation that AEM and KivIA have entered into a water compensation agreement with respect to the Meliadine Gold Project; and
- New evidence consisting of an executed Security Management Agreement between INAC, KivIA and AEM.

Please note that **unless expressly requested** to maintain confidentiality in any of the materials or excerpts of the materials provided by the parties in accordance with this direction, all materials received by the Board will be posted in their entirety to the NWB's public registry and the distribution list will be notified of the posting.

Once the Board has received and had an opportunity to review the additional materials set out above, the Board will provide further written direction to the parties regarding whether the Public Hearing Record is closed and the Application may then be remitted to the Panel for decision-making, or whether additional submissions (oral and/or written) are warranted in the circumstances prior to the close of the Public Hearing Record.

If you have any questions regarding this matter please contact Stephanie Autut, the Board's Executive Director. Stephanie can be reached at her direct line: (867) 360-6338 or via e-mail stephanie.autut@nwb-oen.ca .

Sincerely,

Lootie Toomasie
Vice Chairperson and
Chairperson of the Meliadine Panel (P15)
Nunavut Water Board

cc: Kimberley Gilson, Duboff Edwards Haight & Shachter (Legal Counsel to KIA)
Christine Kowbel, Lawson Lundell (Legal Counsel to AEM)
Tracy Carroll and Ken Landa, Department of Justice and (Legal Counsel to INAC)
Meliadine Distribution List